

111TH CONGRESS  
1ST SESSION

# S. 1320

To provide assistance to owners of manufactured homes constructed before January 1, 1976, to purchase Energy Star-qualified manufactured homes.

---

## IN THE SENATE OF THE UNITED STATES

JUNE 22, 2009

Mr. TESTER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

## A BILL

To provide assistance to owners of manufactured homes constructed before January 1, 1976, to purchase Energy Star-qualified manufactured homes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Energy-Efficient Man-  
5 ufactured Housing Act of 2009”.

6 **SEC. 2. ENERGY-EFFICIENT MANUFACTURED HOMES.**

7 (a) DEFINITIONS.—In this section:

8 (1) DATED MANUFACTURED HOME.—The term  
9 “dated manufactured home” means a manufactured  
10 home constructed before January 1, 1976.

1           (2) ENERGY STAR-QUALIFIED MANUFACTURED  
 2 HOME.—The term “Energy Star-qualified manufac-  
 3 tured home” means a manufactured home that has  
 4 been designed, produced, and installed in accordance  
 5 with Energy Star guidelines by an Energy Star-cer-  
 6 tified entity.

7           (3) MANUFACTURED HOME.—The term “manu-  
 8 factured home” has the meaning given the term in  
 9 section 603 of the National Manufactured Housing  
 10 Construction and Safety Standards Act of 1974 (42  
 11 U.S.C. 5402).

12           (4) SECRETARY.—The term “Secretary” means  
 13 the Secretary of Energy.

14           (b) PURPOSE.—The purpose of this section is to as-  
 15 sist low-income households residing in dated manufactured  
 16 homes to save energy and energy expenditures by pro-  
 17 viding support toward the purchase of new Energy Star-  
 18 qualified manufactured homes.

19           (c) GRANTS TO STATE AGENCIES.—

20           (1) IN GENERAL.—The Secretary may provide  
 21 grants under this section to—

22                   (A) the State agency responsible for devel-  
 23 oping State energy conservation plans under  
 24 section 362 of the Energy Policy and Conserva-  
 25 tion Act (42 U.S.C. 6322) in each State; or

1 (B) such other State agency carrying out  
2 a similar activity as the Governor of the State  
3 may designate.

4 (2) ALLOCATION.—The Secretary shall provide  
5 grants to each State agency under paragraph (1)  
6 based on the proportion that, as determined using  
7 the most recent and accurate data available—

8 (A) the number of dated manufactured  
9 homes occupied as primary residences in the  
10 State; bears to

11 (B) the number of dated manufactured  
12 homes occupied as primary residences in all  
13 States.

14 (3) USE OF FUNDS.—A State agency shall use  
15 a grant provided under paragraph (1) to provide to  
16 owners of dated manufactured homes in the State  
17 rebates to use toward the purchase of new Energy  
18 Star-qualified manufactured homes in the State in  
19 accordance with paragraph (4).

20 (4) REBATES.—

21 (A) PRIMARY RESIDENCE REQUIRE-  
22 MENT.—A rebate under this subsection may be  
23 made only to an owner of a dated manufactured  
24 home that is used on a year-round basis as a  
25 primary residence.

(B) DESTRUCTION AND REPLACEMENT.—

A rebate under this subsection may be made only if the applicable dated manufactured home will be—

(i) destroyed (including appropriate recycling); and

(ii) replaced, in the same general location (as determined by the applicable State agency), with an Energy Star-qualified manufactured home.

(C) SINGLE REBATE.—A rebate under this

subsection may not be provided to any owner of a dated manufactured home that was or is a member of a household for which any member of the household was provided a rebate pursuant to this subsection.

(D) ELIGIBLE HOUSEHOLDS.—To be eligi-

ble to receive a rebate under this subsection, an owner of a dated manufactured home shall demonstrate to the applicable State agency that the total income of all members of the household of the owner does not exceed 200 percent of the Federal poverty level for income in the applicable area.

(5) LIMITATION.—

1 (A) IN GENERAL.—Subject to subpara-  
2 graph (B), the amount of a rebate provided by  
3 a State agency under this subsection shall not  
4 exceed, for a single manufactured home, \$7,500  
5 of the amount provided to the State agency  
6 pursuant to this subsection.

7 (B) USE OF STATE FUNDS.—A State agen-  
8 cy may supplement the amount of a rebate pro-  
9 vided under this subsection using State or other  
10 funds (including private donations and grants  
11 from charitable foundations) by such amount as  
12 the State agency determines to be appropriate.

13 (6) SIMILAR PROGRAMS.—

14 (A) STATE PROGRAMS.—Subject to the  
15 limitation described in paragraph (5)(A), a  
16 State agency conducting a program the purpose  
17 of which is to replace dated manufactured  
18 homes with Energy Star-qualified manufactured  
19 homes may use the amounts provided under  
20 this subsection to support the program.

21 (B) FEDERAL PROGRAMS.—The Secretary  
22 shall seek to achieve the purpose of this section  
23 through similar Federal programs, including—

24 (i) the Weatherization Assistance Pro-  
25 gram for Low-Income Persons established

under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.); and

(ii) the program under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(7) ADMINISTRATION.—

(A) CONTROLS AND PROCEDURES.—

(i) IN GENERAL.—Each State agency that receives funding under this subsection shall establish such fiscal controls and accounting procedures as are sufficient, as determined by the Secretary, to ensure proper accounting for disbursements made from the funds and fund balances.

(ii) REQUIREMENT.—The controls and procedures established under clause (i) shall conform to generally accepted Federal accounting principles, as determined by the Secretary.

(B) COORDINATION WITH OTHER STATE AGENCIES.—A State agency that receives funding under this subsection may coordinate efforts and share funds for administration with other

1 State agencies involved in low-income housing  
2 programs.

3 (C) ADMINISTRATIVE EXPENSES.—A State  
4 agency may use not more than 10 percent of  
5 the funds provided to the State agency under  
6 this subsection for administrative expenses in  
7 carrying out a program under this subsection.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—

9 (1) IN GENERAL.—There are authorized to be  
10 appropriated to the Secretary such sums as are nec-  
11 essary to carry out this section.

12 (2) ADMINISTRATIVE EXPENSES.—Of the  
13 amounts available for each fiscal year to carry out  
14 this section, the Secretary may use not more than  
15 5 percent to pay administrative expenses.

○